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Attorneys for Plaintiff

**NORTH AMERICAN CAPACITY INSURANCE
COMPANY**

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

SAN FRANCISCO DIVISION

NORTH AMERICAN CAPACITY
INSURANCE COMPANY, a foreign
corporation,

Plaintiff,

v.

BAY AREA MECHANICAL
ENGINEERING, INC., a California
corporation; PHILADELPHIA
INDEMNITY INSURANCE
COMPANY, a foreign corporation;
JACK BERZIN, an individual and
DOES 1-200, inclusive.

Defendants.

Case No.: C 13-05767 SC

**STIPULATION TO DISMISS
DEFENDANTS; and ORDER
THEREON**

Judge: Hon. Samuel Conti
Trial Date: None set

IT IS HEREBY STIPULATED and agreed by and between Plaintiff,
NORTH AMERICAN CAPACITY INSURANCE COMPANY ("NAC") and
Defendants, BAY AREA MECHANICAL ENGINEERING, INC. ("BAME"),
JACK BERZIN ("BERZIN") and PHILADELPHIA INDEMNITY
INSURANCE COMPANY ("PHILADELPHIA") through their designated
counsel that Defendants BAME, BERZIN and PHILADELPHIA be and hereby
are dismissed with prejudice from the above-captioned action pursuant to FRCP
41(a)(1)(A)(ii).

1 Plaintiff, NAC and Defendants, BAME, BERZIN and PHILADELPHIA
2 further stipulate to bear their own costs and fees.

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4 Dated: 5/28/14

GRIMM, VRANJES & GREER LLP

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6 By: *Matthew Morache* /s/

7 Mark Vranjes
8 Matthew Morache
9 Attorneys for Plaintiff
10 NORTH AMERICAN CAPACITY
INSURANCE COMPANY

11 Dated: 5/28/14

MEREDITH, WEINSTEIN &
NUMBERS, LLP

12
13 By: *Barron Weinstein* /s/

14 Barron L. Weinstein, Esq.
15 Attorneys for Defendants, BAY AREA
16 MECHANICAL ENGINEERING, INC.
and JACK BERZIN

17 Dated: 5/28/14

BAUMAN, LOEWE, WITT &
MAXWELL, PLLC

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19
20 By: *Mark Bauman* /s/

21 Mark C. Bauman, Esq.
22 Attorneys for Defendant,
PHILADELPHIA INDEMNITY
INSURANCE COMPANY

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1 I hereby attest that I have on file all holographic signatures corresponding
2 to any signatures indicated by a conformed signature (/S/) within this e-filed
3 document.

4 Dated: September 9, 2014

GRIMM, VRANJES & GREER LLP

6 By: Matthew Morache /s/

7 Mark Vranjes

8 Matthew Morache

9 Attorneys for Plaintiff

10 NORTH AMERICAN CAPACITY

INSURANCE COMPANY

11 ORDER

12 Pursuant to stipulation of Plaintiff, NAC and Defendants and good cause
13 existing therefore, IT IS HEREBY ORDERED that Defendants, BAME,
14 BERZIN and PHILADELPHIA be dismissed without prejudice, with each party
15 to bear their own costs and fees.

16 DATED: 09/10/2014

17 

18 Hon. Samuel Conti
19 Judge of the District Court

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